

A N
ACCOUNT
OF THE
PROCEEDINGS
AGAINST
Nathaniel Thomson,
UPON HIS
TRYAL
AT THE
KINGS Bench-Bar
Westminster,

who was Tryed, and found Guilty on Wednesday the 26th of November 1684. For Printing a Dangerous and Seditious LIBEL, Intitled the PRODIGAL RETURN'D HOME, asserting the POPES Supremacy in Ecclesiastical Affaires, &c.

THE House of *Nathaniel Thompson* the Printer, upon Information, that divers Seditious Books or Papers, were Printed by him: And especially, a Book Intituled the *Prodigal returned home*; asserting the Popes Supremacy in Ecclesiastical Affaires being searched, &c. A considerable quantity of those Books, were found and seized by Mr. *Stephens* Messenger to the Press; as likewise, a Book known by the name of *Doleman* about Succession, whereupon Mr. *Thomson* by virtue of a Warrant, being taken into Custody, after some Examination was Committed to *Newgate*, Bail not being accepted, in a case of such a dangerous consequence; notwithstanding, he moved by his Counsel at the *Kings-Bench* Bar, for a *Habeas Corpus*, which after some difficulty he obtained, and was thereupon removed *Corpus cum Causa*, to the *Kings-Bench*, and charged with an Indictment of Trespas and Misdemeanours, for Printing the said Seditious and dangerous Libel; upon which, the Tryal come on upon *Nisi prius*, on the 26th of November 1684. when as the Council for the King, after the Juries being Impanell'd, and sworn, opened the Case, Informing the Jurors that *Nathaniel Thomson* the Defendant, stood Indicted, for Printing a Seditious and dangerous Book or Libel, asserting the Pope's Supremacy above the Kings, in order to withdraw His Majesties Subjects from their Allegiance, and to bring a scandal upon the Established Government &c. and that divers of the said Books, Intituled the *Prodigal returned home*, had been found in his House, that he had been noted for a Person who had accustomed himself to Print and disperse Libells &c. which accordingly appeared to them upon Evidence, to this effect, the Indictment being opened, the Witnesses were called and sworn, when as Mr. *Stephens* gave Evidence

dence, that being Informed by one *Alexander Banks*, not long before in Service with Mr. *Thomson*, that several ill Books seditious and dangerous to the Government, had been Printed by his Master, and that many had been dispos'd of, and that himself had help'd to Compose part of a Book, called the *Prodigal returned home*, and that he doubted not, if search was speedily made, some part of them might be found in the House, he on the 21th of *October* last, taking to his assistance one Mr. *Clinch* a Constable, and suddenly entring the House, found several of those Books in Quires, and that he found another seditious Book, in the hands of Mr. *Thomson's* Maid-servant, which she had taken from her Mistress, further urging, that he had formerly Printed and Published the Appeal, and the Libellous Pamphlet Intituled the Noble Peers Speech, &c. and that Mr. *Thomson* since his confinement, had confessed he had Printed Three Hundred of the Books, for which he was brought upon his Tryal, but that he had done them for a gentle Man, that was to carry them beyond the Seas, not designing to disperse them in *England*, and that he had named the Author, but his name he could not well remember: The Evidence having proceeded thus far against the Prisoner, *Alexander Banks* was Examined, and demanded whether he had not Composed part of the Book in question, who with many abrupt stammerings, endeavoured to deny it, although he had formerly sworn it, and his Examination taken by Mr. Recorder, produced, for which willfull Retraction, being sharply reprov'd, Mr. *Clinch* the Constable was Examined, who confirmed all that Mr. *Stephens* had sworn, in relation to the finding the Books in the House of Mr. *Thomson*, adding, that meeting with Mrs. *Thomson*, and perceiving her to hold something slyly behind her, he demanded what it was, to which she replied nothing, but he pressing her to see it, her Maid took it out of her hand, and went about to escape with it, but was taken, and the Book seized, which imported matter of very evil consequence.

Notwithstanding, the Evidence being thus full, that the Jurors might the better understand the malicious design of the Libel, divers Paragraphs on which the Prosecution was grounded, were Read, Importing, that the Profelites of the Reformed Churches, by reason of the Heresie they embraced, were not capable of Salvation, and that St. *Peter* being once appointed Head of the Church, the Pope as his Successor, derived this Power from him, and that all Ecclesiastical dignities must of necessity hold of him and the Bishops &c. ought to be of his Constituting, Insinuating how *Gregory* the Great, had the whole Power of Ecclesiastical Affaires in his hands, and that Christian Princes intermedled not therein, when he sent St. *Augustine* and his Monks into this Nation, who Established the *Romish* Religion, and subjected the Ecclesiasticks to the Sea of Rome, In fine, it altogether appeared to justify the *Romish* Religion, and plead for the Popes Supremacy, magnifying the Pontifical Prelates, and justifying them in their Usurpation, and unlawful claime.

To this the Prisoners Council made reply, that he hoped what had been proved, would not extend to make his Client guilty of publishing the Books (which he could not deny were ill and not justifiable) for as much as it did not appear, he had exposed any of them to sail, to which it was replied, that he had confessed he had Printed them, and it could not be Imagined he designed them for wast Paper, or to dispose of to any other end, than to disperse them, or that they might be dispersed, and that such things were of ill consequence, nor had this been the first Libel the Prisoner had Printed, as had appeared upon Evidence, when little or no other defence being made, the Right Honourable the Lord Chief Justice, gave the Charge, fully summing up the Evidence, and minding them especially, of what the Prisoner had voluntarily confessed, laying open the dangerous effects such Libells might produce; declaring, that upon the Evident proof they had before them, and the confession of the Prisoner which had been sworn, they could no less then find him Guilty, whereupon laying their Heads together, without going from the Bar, they gave in their Verdict, that *Nathaniel Thomson* was Guilty of the Trespass, &c. And he continued in order, to receive the Judgment of the Court.